

March 3, 2004

Assistant Commissioner of Patents

Washington, DC 20231

**PROTEST UNDER 37 CFR 1.291(a)**

Re: Method and system for electronically distributing, displaying and controlling advertising and other communicative media

US File # **20020023274**

Filed: April 6, 2001

Sirs:

Recently I found the above referenced patent filing and believe this filing has NOT issued in the U.S. The US File # is **20020023274**

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising delivery system using a database containing advertisements retained and maintained at the client level in cache or on disk (Claim 16) in a client-server ad delivery system. This patent application relates to displaying advertising by matching voluntary user actions or initiating triggers (0042) Entering a trigger event into a browser locator window, makes a match with data in the remotely controlled and updated (0031) database and in the event a match is made, appropriate content or advertisement is displayed. This is referred to as "pull" advertising as a voluntary action on the part of a user interacts with a pre-established database and a targeted ad is displayed.

The abstract reads in part, "The forth type of input to the scheduling system is a trigger event which is received from a source external to the scheduling system. Upon receiving a trigger event, particular media content will be played."

Relevant Claims are #1, 2, 11, 16 and others in which the inventor refers displaying ads stored at the client level and displaying them based on triggering events.

I am objecting to this patent application as it is neither novel nor unique. It is of particular note that prior art submitted does not include references to systems that were commercially offered in 2001. The filers are correct that a targeted system based on interactive actions is more accurate and excels in its ability to deliver "relevant" ads at the exact moment of interest. However, the filers did not include the following references:

1. US Patent 6,141,010 ... equivalent technology

2. Gator.com (recently changed to Claria.com) has been marketing such a system since 1998
3. WO9955066 (A1) or EP1076983 (A1) ... equivalent technology

There may be more prior art preceding the 4/6/2001 filing.

I believe the Examiner should look very closely at the Claim made and judge accordingly.

The screenshot shows a Netscape browser window displaying the Espacenet website. The address bar shows the URL: <http://V3.espacenet.com/textdoc?A=Zetmeir&I=q&RST=1&CY=ep&LG=en&DB=EPDOC&I=IA&kw=Zetmeir&Submit?>

The page title is "espacenet document view - Netscape". The main content area displays the following information:

**TELEPHONE CALL MANAGEMENT SOFTWARE AND INTERNET MARKETING METHOD**

**Bibliographic data:**

- Patent number: CA2328913
- Publication date: 1999-10-28
- Inventor: ZETMEIR KARLO (US)
- Applicant: ZETMEIR KARLO (US)
- Classification: H04M3/00
- International: H04M3/00
- European: H04M3/00
- Application number: CA10002328913-10000414
- Priority number(s): US10950062041/19950417 WO1995006102-10000414

**Also published as:**

- WO9955066 (A1)
- EP1076983 (A1)

**Abstract of CA2328913**

A telephone call management computer program that provides both call management features and long distance savings for telephone consumers and marketing and advertising services for sponsor companies that wish to advertise to the consumer is disclosed. The call management program is initially stored on a host computer (12) and is then downloaded upon request to user computers (22) along with advertisement banners selected by the sponsor companies. When used, the program automatically front-loads a long distance carrier's PIC code in front of all long distance calls made from the user computers to permit consumers to automatically make long distance phone calls at discounted rates without memorizing numerous PIC codes and without continually shopping for the best long distance rate. The program also provides many enhanced telephone calling options and displays the banners and other advertising directly on the user computers (22) while the consumers use the program.



